

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEBORAH K. MURPHY-DAVIDSON,  
an individual,

Plaintiff,

v.

Case No.: 14-cv-00779

KENNETH J. STOLL,  
an individual, and  
COMFORCARE SENIOR SERVICES –  
MID MICHIGAN, a limited liability company,

Hon. Ray Kent  
Magistrate Judge

Defendants.

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**DEFENDANTS' MOTIONS FOR NEW TRIAL OR REMITTITUR  
OR JUDGMENT AS A MATTER OF LAW**

Defendants' Kenneth J. Stoll ("Mr. Stoll) and ComForcare Senior Services – Mid Michigan (Comforcare) move the Court for a new trial or remittitur or judgment as a matter of law, based upon the following:

1. On 1 May 2016, a jury awarded plaintiff One-Hundred-Thirty-Thousand Dollars (\$130,000) against Kenneth J. Stoll and Comforcare for Mr. Stoll's alleged intentional infliction of emotional distress.
2. The jury did not award plaintiff any damages for the alleged assault or stalking. A judgment was entered on 2 May 2016.
3. Mr. Stoll and Comforcare move the Court for a new trial under Rule 59 of the Federal Rules of Civil Procedure, for the reasons more fully set forth in the attached brief.
4. In the alternative, Mr. Stoll and Comforcare move the Court to alternatively remit the amount of damages awarded by the jury, for the reasons more fully set forth in the attached brief.
5. Mr. Stoll and Comforcare renew their motion for a judgment as a matter of law under Fed. R. Civ. P. 50(b), for the reasons more fully set forth in the attached brief.

WHEREFORE, defendants move the Court to grant a new trial, remit the award of \$130,000 or enter a judgment in their favor as a matter of law.

Respectfully submitted,

*/s/ Thomas A. Ginster*

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